

REMARKS

Claims 1, 5-9, 38, 42-46 and 49-54 are currently pending in the subject application and are presently under consideration. Claims 1, 38 have been amended as shown on pages 2-4 of the Reply. New claims 49-54 have been added. Applicants' representative thanks Examiner Kim for the teleconference of July 18, 2007. The rejection of the claims 1, 5-9, 38, and 42-46 under 35 U.S.C. §101 were discussed. It was agreed that the claims as amended overcome the rejection.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I. Rejection of Claims 1, 5-9, 38 and 42-46 Under 35 U.S.C. §101

Claims 1, 5-9, 38 and 42-46 stand rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. Withdrawal of this rejection is requested for at least the following reasons. The claims are directed towards statutory subject matter that produces useful, concrete and tangible results.

The claimed subject matter generally relates to obtaining information from a networked system utilizing a distributed web-crawler. Accordingly, claim 1 has been amended herein to clearly illustrate that elements within such claims are associated with a computer. It is directed towards a computer-implemented system comprising at least a processor, with one or more memories which have stored thereon a managing component, a server computer component and a decision theoretic component. The managing component predicts when a web page will change, and determines when, and how to perform web-crawling. The server computer component implements a web-crawling component that crawls subsets of web pages as a function of the predictive analysis performed by the managing component to discover and update pages within a catalogue of possible search results. The decision theoretic component maximizes the efficiency of crawling by determining an appropriate time to crawl the web pages and makes predictions regarding changes in the web pages. Hence, the claims are directed towards statutory subject matter that produces useful, concrete, tangible results wherein predictions regarding changes in web pages are utilized to maximize the efficiency of crawling. Independent claim 38 is directed towards computer readable medium that has computer

executable instructions which produce at least the aforementioned useful, concrete, tangible results. Therefore, withdrawal of this rejection is respectfully requested.

II. New Claims 49-54

Newly added claims 49-54 emphasize novel aspects of the invention discussed *supra* in connection with claims 1, 5-9, 38 and 42-46. Accordingly, these claims are patentably distinct over the art of record for at least the same reasons as are claims 1, 5-9, 38 and 42-46.

Additionally they recite functional descriptive material recorded on a computer-readable medium, thus making it structurally and functionally interrelated to the medium and hence are statutory since use of technology permits the function of the descriptive material to be realized. *In re Lowry*, 32 F.3d 1579, 1583-84, 32 USPQ2d 1031, 1035 (Fed. Cir. 1994).

CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [MSFTP557US].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

AMIN, TUROC & CALVIN, LLP

/Himanshu S. Amin/

Himanshu S. Amin

Reg. No. 40,894

AMIN, TUROC & CALVIN, LLP
24TH Floor, National City Center
1900 E. 9TH Street
Cleveland, Ohio 44114
Telephone (216) 696-8730
Facsimile (216) 696-8731